

**ZB# 05-64**

**Dane Leroy**

**43-1-50**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
GRANTED 12-12-05

05-64

DANE LE ROY (AREA) (43-1-50)  
2 SPRING ROCK ROAD

05-64

11/25  
48.22

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**DATE:** September 8, 2005

**APPLICANT:** Mr. Dane W. Leroy  
2 Spring Rock Rd.  
New Windsor, New York 12553

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:** August 31, 2005

**FOR :** EXISTING SHED

**LOCATED AT:** 2 SPRING ROCK RD.

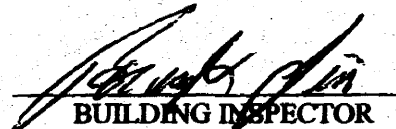
**ZONE:** R-4      Sec/Blk/ Lot: 43-1-50

**COPY**

**DESCRIPTION OF EXISTING SITE:** ONE FAMILY HOUSE

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

1. **EXISTING 10x12 SHED DOES NOT MEET MINIMUM 10' SIDE YARD SET-BACK.  
THIS SHED IS NOW LOCATED OVER A DRAINAGE EASEMENT.**

  
**BUILDING INSPECTOR**

**PERMITTED**

**PROPOSED OR  
AVAILABLE:**

**VARIANCE  
REQUEST:**

**ZONE: R-4    USE: BULK TABLES: 300-11-A-1-B**

**MIN LOT AREA:**

**MIN LOT WIDTH:**

**REQ'D FRONT YD:**

**REQ'D SIDE YD:                      10'                      — ON LINE —                      10'**

**REQ'D TOTAL SIDE TD:**

**REQ'D REAR YD:**

**REQ'D FRONTAGE:**

**MAX BLDG HT:**

**FLOOR AREA RATIO:**

**MIN LIVABLE AREA:**

**DEV COVERAGE:**

**cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP**

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
**IMPORTANT**  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

RECEIVED  
AUG 31 2005

FOR OFFICE USE ONLY:  
Building Permit #: 2005-963

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

Dane W LeRoy

Address

2 Spring Rock Rd

Phone #

845-562-0604

Mailing Address

2 Spring Rock Rd

Fax #

Name of Architect

Address

Phone

Name of Contractor

Address

State whether applicant is owner, lessee, agent, architect, engineer or builder Owner

If applicant is a corporation, signature of duly authorized officer. \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the N side of Spring Rock Rd  
(N, S, E or W)  
and 10 feet feet from the intersection of Hearthstone Way

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y N X

3. Tax Map Description: Section B Block \_\_\_\_\_ Lot 93

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy storage b. Intended use and occupancy storage

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other  
existing shed 10 x 12

6. Is this a corner lot? No

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_ Fee \$50 ch # 4832

Frank

**ZONING BOARD** ~~OK'd~~ OK'd by owner

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK

date

\_\_\_\_\_  
date

**APPLICATION FOR BUILDING PERMIT**  
**TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK**  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Lial & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4818  
(845) 563-4895 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

**INSTRUCTIONS**

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Dane LeRoy  
(Signature of Applicant)

2 Spring Rock Rd  
(Address of Applicant)

Dane LeRoy  
(Owner's Signature)

same  
(Owner's Address)

**PLOT PLAN**



**NOTE:**

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

N

see survey

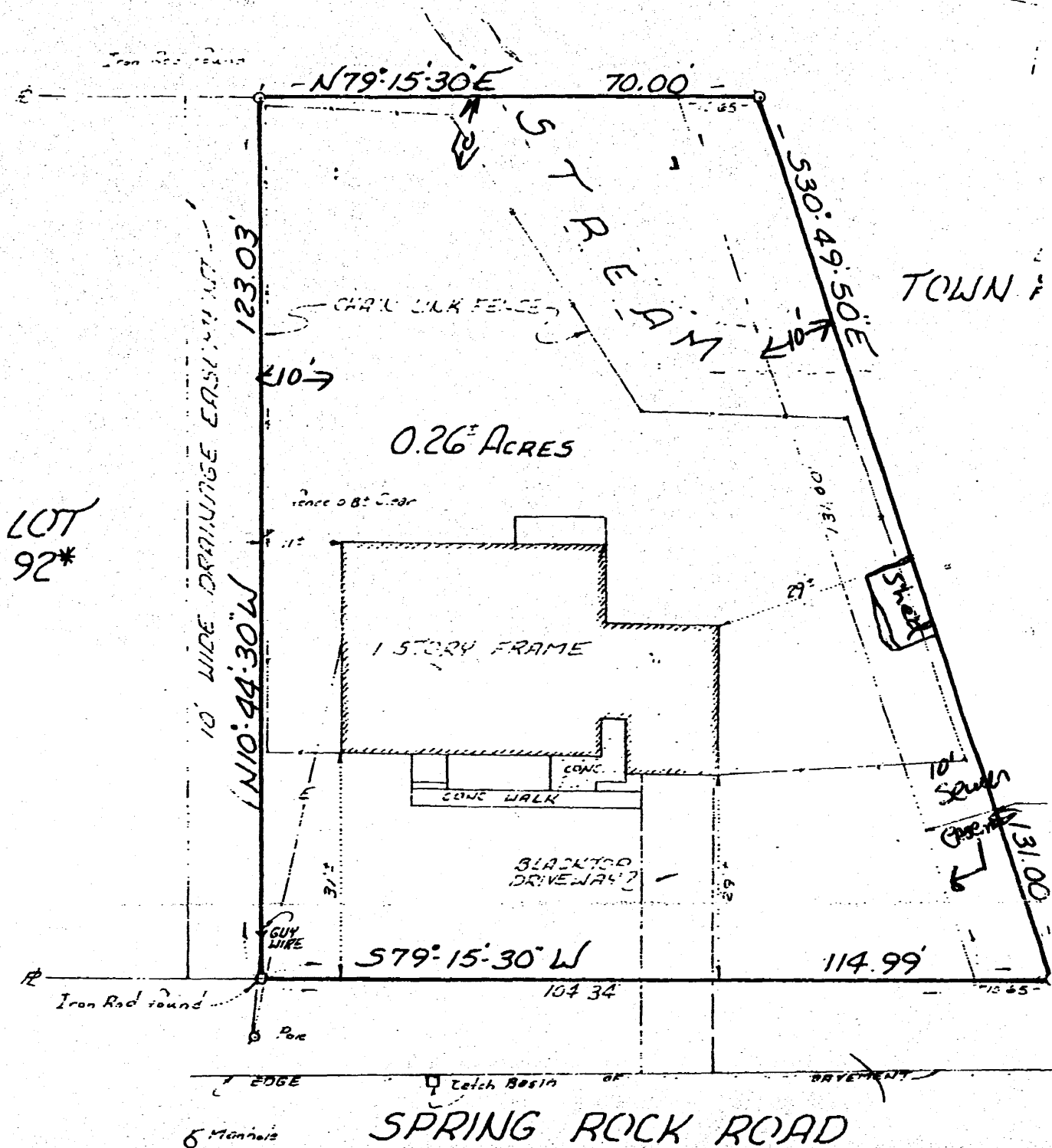
W

E

S

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

TOWN : NEW WINDSOR



MAP OF SURVEY FOR  
LOT 93\*  
PLAN OF SUBDIVISION OF SECTION B  
FORGE HILL ESTATES

---

TOWN OF NEW WINDSOR

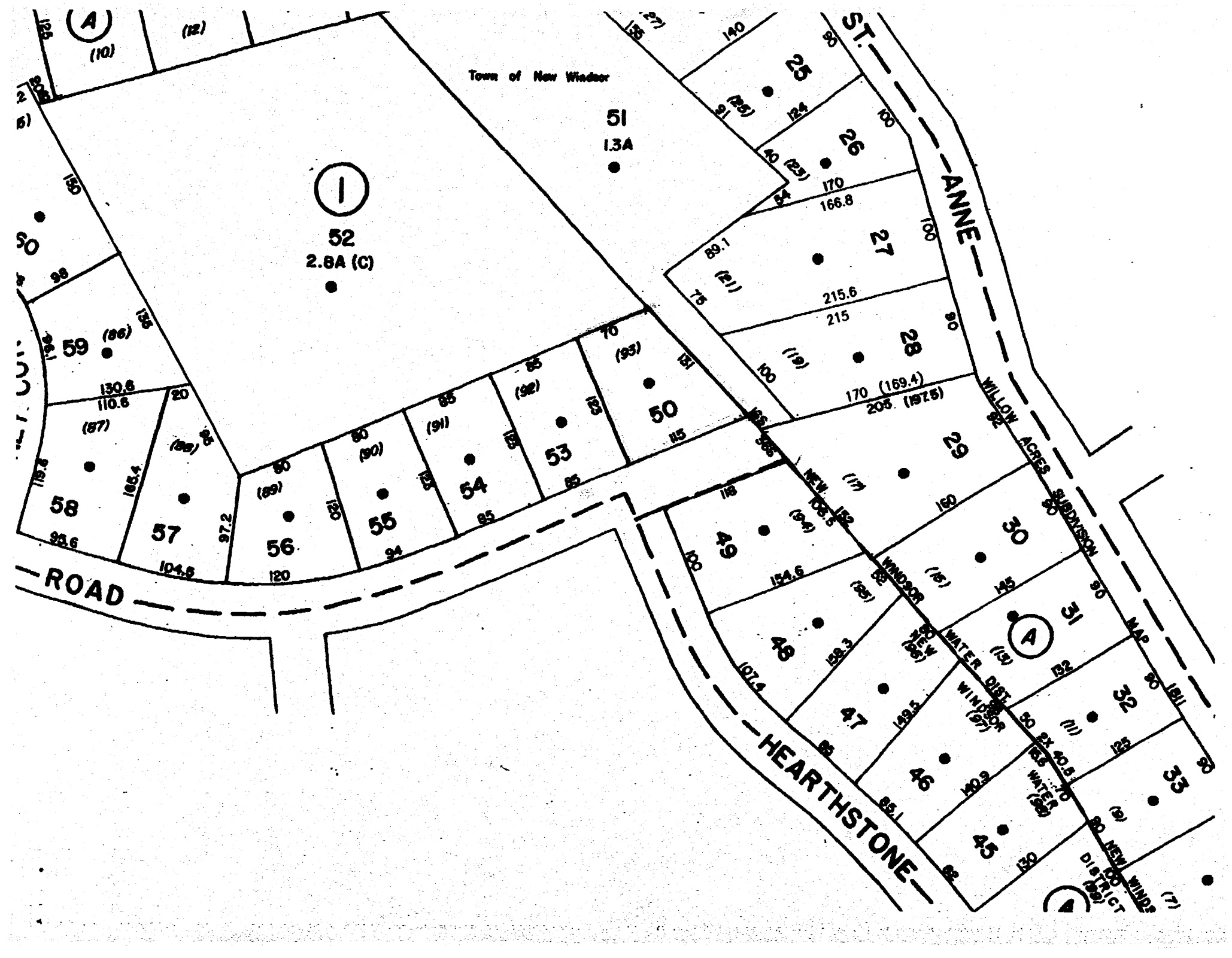
CRAIG

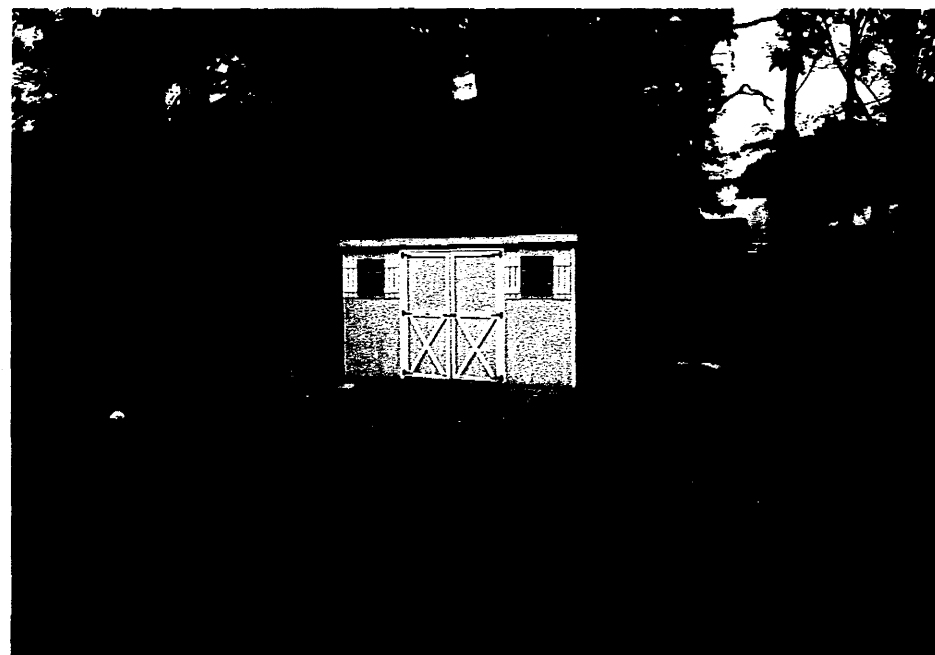
---

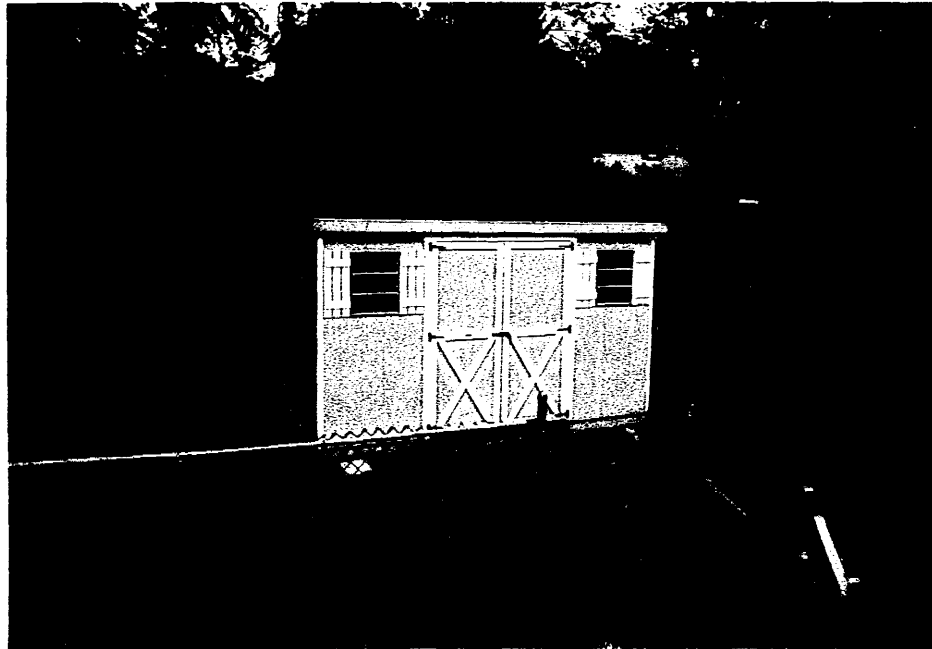
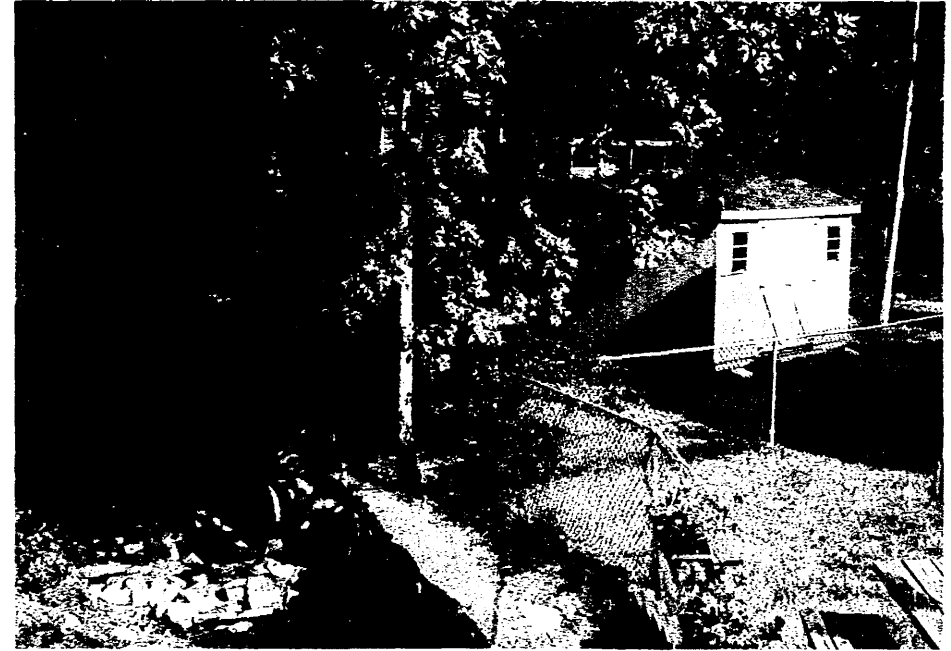
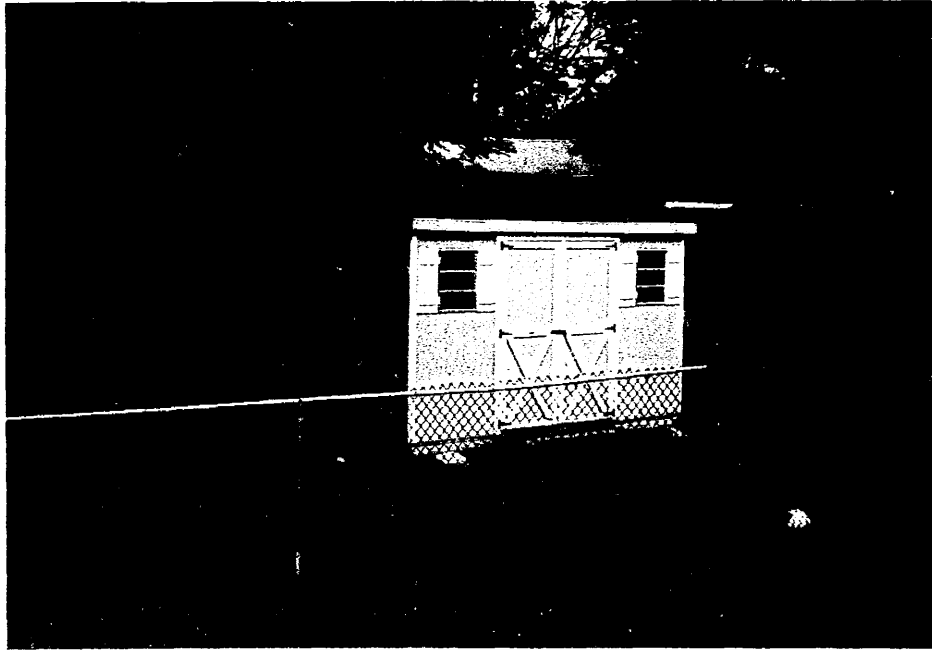
SCALE: 1" = 20'

---

CERTIFIED TO:









# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689**

## **OFFICE OF THE ZONING BOARD OF APPEALS**

**April 25, 2006**

**Dane LeRoy  
2 Spring Rock Road  
New Windsor, NY 12553**

**SUBJECT: REQUEST FOR VARIANCE #05-64**

**Dear Mr. LeRoy:**

**Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.**

**If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.**

**Very truly yours,**

---

**Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD**

**MLM:mlm**

**cc: Michael Babcock, Building Inspector**

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 43-1-50

In the Matter of the Application of

**DANE LEROY**

MEMORANDUM OF  
DECISION GRANTING

**AREA**

CASE #05-64

**WHEREAS, Dane Leroy**, owner(s) of 2 Spring Rock Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 10 ft. Side Yard Setback for existing 10ft by 12 ft. shed which is also located over a drainage easement at 2 Spring Rock Rd in an R-4 Zone (43-1-50)

**WHEREAS**, a public hearing was held on December 12, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Times Herald Record, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a Residential Property located in a neighborhood of Residential Properties in an R-4 zone.
  - (b) The applicant seeks to locate the shed in the place designated because of the topography of the property. The applicant is aware that the shed will be constructed on an existing drainage easement and that any permission granted by this Board will not vary the terms of that easement and that if there is a difficulty



with the drainage easement in the future, the applicant may be required, at his own expense, to remove the shed.

- (c) The shed has been in existence for approximately one year during which times there have been no complaints, either formally or informally about the shed
- (d) The shed is similar in size and appearance to other sheds in the neighborhood.
- (e) The shed does not create the ponding or collectino of water nor does it divert the flow of water drainage.
- (f) The property is intersected by an existing stream which limits the ability of the applicant to locate a storage shed such as the one proposed herein.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

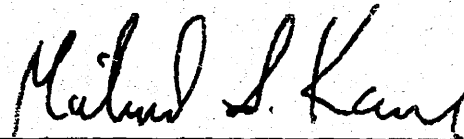
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 10 ft. Side Yard Setback for existing 10ft by 12 ft. shed which is also located over a drainage easement at 2 Spring Rock Rd in an R-4 Zone (43-1-50) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: December 12, 2005

A handwritten signature in cursive script, reading "Michael S. Kears", is written over a horizontal line.

Chairman

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: MARCH 28, 2006**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 137.78 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #05-64**

**NAME & ADDRESS:**

**Dane LeRoy  
2 Spring Rock Road  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**L.R.03-28-2006**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #05-64

TYPE: AREA

TELEPHONE:

562-0604

**APPLICANT:**

Dane LeRoy

2 Spring Rock Road

New Windsor, NY 12553

RESIDENTIAL:

\$ 50.00

CHECK # 4865

COMMERCIAL

\$ 150.00

CHECK # \_\_\_\_\_

INTERPRETATION

\$ 150.00

CHECK # \_\_\_\_\_

ESCROW:

RESIDENTIAL \$300.00

CHECK # 4864

~~~~~

**DISBURSEMENTS:**

MINUTES ATTORNEY  
\$5.50 / PAGE FEE

PRELIMINARY:

4

PAGES

\$ 22.00

\$ 35.00

2<sup>ND</sup> PRELIMINARY:

—

PAGES

\$ \_\_\_\_\_

\$ \_\_\_\_\_

PUBLIC HEARING:

4

PAGES

\$ 22.00

\$ 35.00

PUBLIC HEARING:

—

PAGES

\$ \_\_\_\_\_

\$ \_\_\_\_\_

LEGAL AD: Publish Date: 11/25

\$ 48.22

TOTAL:

\$ 92.22

\$ 70.00

~~~~~

ESCROW POSTED:

\$ 300.00

LESS: DISBURSEMENTS:

\$ 162.22

AMOUNT DUE:

\$ \_\_\_\_\_

REFUND DUE:

\$ 137.78

Cc:

L.R. 03-28-2006

DANE\_LEROY\_(05-64)

Mr. Dane Leroy appeared before the board for this proposal.

MR. KANE: Request for 10 ft. side yard setback for existing 10 ft. by 12 ft. shed which is also located over a drainage easement at 2 Spring Rock Road in an R-4 zone. Evening, sir, tell us what you want to do just like the preliminary.

MR. LEROY: My name is Dane Leroy. I want to get a variance for a 10 x 12 existing shed that's on the edge of my property and there's an existing easement behind the shed so I'm putting the shed on the edge of my property where you're supposed to have so many foot setback so I don't have that setback, I don't have anyplace else to put the shed on my property because I have a stream that cuts the back of my property off so there's no other place I can put the shed.

MR. KANE: You understand then that even if we allow the shed to be there if they need access to the easement they're going to get it?

MR. LEROY: Absolutely.

MR. KANE: So anything we do here does not negate that.

MR. LEROY: Right.

MR. REIS: This is for a proposed shed?

MR. LEROY: No, it's already there, want to see the pictures?

MS. MASON: They should be attached.

MR. REIS: Thank you.

MR. KANE: How long has the shed been in existence?

MR. LEROY: About a year.

MR. KANE: Is it similar in size and nature to other sheds in your neighborhood?

MR. LEROY: Yes.

MR. KANE: Any complaints formally or informally about the shed?

MR. LEROY: No.

MR. KANE: Create any runoffs, substantial removal of vegetation with the placement of the shed?

MR. LEROY: No.

MR. KANE: And as you said, there's no other place to put it on your property because of the stream?

MR. LEROY: Right, my property's a quarter of an acre but the stream cuts out the whole back half of it, you can see from the prints so I would have liked to put it someplace else but there's no place else in my yard, back of my yard is mostly filled up with deck right now, deck and a pool is behind the house.

MR. KANE: I'll ask if there's anybody in the audience for this hearing? Seeing there's nobody here, we'll close the public portion of the hearing, ask Myra how many mailings we had.

MS. MASON: On November 21, I mailed out 61 envelopes and had no response.

MR. REIS: Mr. Chairman, did you ask how long the shed has been there?

MR. KANE: Yeah, about a year.

MR. LEROY: About a year.

MR. KANE: No complaints formally or informally.

MR. REIS: What brings you to the board?

MR. LEROY: Went to get a loan on my house and they had violations and the violation was for a fence that was around my property and they also said that I had a two-family house so I'm like, I mean, I built this big addition on the house and I went through all the permits and everything but somebody someplace along put two-family house, so I had to bring somebody in and they saw the shed and they said that's not down on the paper, actually, they saw two sheds, I got right rid of one of them so I'd just have to deal with one of them.

MR. KANE: They got me for an illegal build, I said what are you talking about, it's the bank, I said show me the illegal building, I have a permit for the shed, I have a permit for the pool. It was a dog house. It was a wooden dog house and I wasn't giving him another 25 bucks so bank's are thorough. Okay, any further questions? Pretty straightforward, I'll accept a motion.

MR. BROWN: I'll make a motion that we accept Dane Leroy's request for ten foot side yard setback for existing 10 foot by 12 foot shed which is also located over a drainage easement at 2 Spring Rock Road in an R-4 zone.

MR. REIS: Second it.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE

December 12, 2005

26

MR. BROWN  
MR. REIS  
MR. KANE

AYE  
AYE  
AYE





RESULTS OF Z.B.A. MEETING OF: December 12, 2005

PROJECT: Dave Selby ZBA # 05-64  
P.B.#

**P.B.#** \_\_\_\_\_

**USE VARIANCE:**      **NEED: EAF** \_\_\_\_\_ **PROXY** \_\_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**PUBLIC HEARING: M)**\_\_\_\_\_ **S)**\_\_\_\_\_ **VOTE: A**\_\_\_\_ **N**\_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**NEGATIVE DEC:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

APPROVED: M)\_\_\_\_S)\_\_\_\_ VOTE: A\_\_\_\_N\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:**      M)    S)      VOTE: A    N

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y\_\_\_\_\_ N\_\_\_\_\_

**PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ✓**

**VARIANCE APPROVED:** M) 38 S) 16 VOTE: A 5 N 0.

**GANN  
LOCEY  
BROWN  
~~McDONALD~~  
REIS  
KANE**

A  
A  
A  
~~A~~  
A  
A

**CARRIED: Y ✓ N   .**

[illegible]

**JENNIFER MEAD**  
**Notary Public, State Of New York**  
**No. 01ME6050024**  
**Qualified In Orange County**  
**Commission Expires 10/30/ 2006**

61

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:


**Appeal No. 05-64**

**Request of DANE LEROY**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 10 ft. Side Yard Setback for existing 10ft by 12 ft. shed which is also located over a drainage easement at 2 Spring Rock Rd in an R-4 Zone (43-1-50)**

**PUBLIC HEARING will take place on DECEMBER 12, 2005  
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York  
beginning at 7:30 P.M.**

  
\_\_\_\_\_  
**Michael Kane, Chairman**

**Town of New Windsor**  
**ZONING BOARD OF APPEALS**  
**PUBLIC HEARING NOTICE**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-64  
Request of DANE LEROY

for a VARIANCE of the Zoning Local Law to Permit

Request for 10 ft. Side Yard Setback for existing 10ft by 12 ft. shed which is also located over a drainage easement at 2 Spring Rock Rd in an R-4 Zone (43-1-50)

PUBLIC HEARING will take place on December 12, 2005 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

MICHAEL KANE  
CHAIRMAN

**Ad Number: 1819416 Advertiser: NEW WINDSOR, TOWN**

Phone: 8455634615 Sys No: 1194114 Caller: MYRA

**INVOKING CUSTOMER:**

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 UNION AVENUE

NEW WINDSOR NY 12553

**RECEIVED**

**NOV 30 2005**

TOWN OF NEW WINDSOR  
COMPTROLLER'S OFFICE

**ORDER:**

Printed By: THRFODDRIL Date: 11/22/2005 Assigned Sales: TownofNewWindsor ZONINGBOARDOFAPPEALS P AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

**NOTES:**

Change Reason:

**INSERTION:**

Product: THH Paper: TH Class: 999X; LEGAL BILLING

Schedule: Start Date - 11/25/2005 End Date - 11/25/2005

Sort: TOWN OF NEW WINDSORZONING BOARD OF APPEA

**PRODUCTION:**

Text Size: 2 x 26.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tearsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

**PRICING:**

Price: 48.22 Payment Method: B1 Amount Paid: 0 Amount Owed: 48.22

PriceMethod: 0 (0=Normal, 1=User Net, 2=System Gross) Rate Code: LEL

For fields listed below 0 = NO 1 = YES

Till Forbid: 0 Mult. Content: 0

# TIMES HERALD-RECORD

40 Mulberry Street, Middletown, NY 10940

State of New York:

County of Orange: ss:

**Patricia Foddrill**

Being duly sworn deposes and says that the ORANGE COUNTY PUBLICATIONS Division of Ottaway Newspapers-Radio, Inc. is a corporation organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

**Legal Advertising Rep.**

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

**Public Notice**

a true printed copy of which is hereunto annexed, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit: In its issues of

11/25/05

Signature of Representative:

Sworn in before me this

28

Day of

Nov.

2005

Carol M. Montana

Notary Public, Orange County

CAROL M. MONTANA  
Notary Public, State of New York  
Sullivan County Clerk's #2041  
Commission Expires Dec. 12, 20 06

October 24, 2005

6

DANE\_LEROY\_(05-64)

MR. KANE: Request for 10 ft. side yard setback for existing 10 ft. by 12 ft. shed which is also located over a drainage easement at 2 Spring Rock Road.

Mr. Dane Leroy appeared before the board for this proposal.

MR. KANE: You heard my little speech before?

MR. LEROY: Yes.

MR. KANE: Tell us what you want to do.

MR. LEROY: It's an existing shed, I just want to be able to leave it there, it's on, partially on the easement but the easement has old drainage lines from the old I believe it's from the old water tank that pipe comes through so it's not being used for anything anymore and I have cleared all the brush a long time ago, I just have a shed sitting partially on that and partially on my property.

MR. KANE: How long has the shed been in existence?

MR. LEROY: Two years.

MR. KANE: And any complaints about the shed formally or informally?

MR. LEROY: No.

MR. KANE: Create any water hazards or runoffs in the placement of the shed?

MR. LEROY: No, water runs off both sides.

MR. KANE: Cutting down trees, substantial vegetation?

October 24, 2005

7

MR. LEROY: No.

MR. KANE: Shed's similar to other sheds in your neighborhood?

MR. LEROY: Yes.

MR. KANE: The biggest question I have is the, how do you handle the shed going over the easement, he's still subject that if somebody needed to get through they could go through the shed if they wanted to?

MR. LEROY: Yeah, I would move it.

MR. KRIEGER: The zoning board can neither enhance or reduce that, they can't do anything about it and so whoever has the easement rights continues to have those rights notwithstanding what this board does one way or the other.

MR. KANE: Even though we approve the shed to stay there you're still subject to anything.

MR. LEROY: Write up some papers, I'll move it at my cost.

MR. KANE: We've got it all on tape.

MR. LEROY: Okay.

MS. LOCEY: Who does have the easement?

MR. LEROY: Town, I guess.

MR. KRIEGER: How did you know that there's a drainage easement there?

MR. LEROY: You can see the pipe in the pictures going across the stream.

October 24, 2005

8

MR. KRIEGER: Other than--

MR. LEROY: Frank Lisi came out there and he told me what it was, I knew there was an area, the other guys property's over here.

MR. KANE: Do we know who has the easement?

MR. BABCOCK: His survey shows it's a sewer easement, not a drainage easement.

MR. LEROY: That's possible, I'm not sure what it is but I know it's some kind of easement.

MR. BABCOCK: Ten foot wide sewer easement, see filed map 1848.

MR. KANE: Yeah, I see it, okay, so even though it, even if we grant that variance right there I think we'll probably we could do something along with the life of that particular shed that's right there but again it won't void their rights that the holder of the easement has. Did I say that right?

MR. KRIEGER: Yes.

MR. LEROY: If they need it moved, I'll move it.

MR. KANE: We've got enough pictures. Does anybody need any other information?

MR. REIS: Accept a motion?

MR. KANE: I will accept a motion.

MR. REIS: I make a motion we set up Mr. Dane Leroy for a public hearing for his request for ten foot side yard setback for existing 10 x 12 shed at 2 Spring Rock Road.



October 24, 2005

9

MS. GANN: Second the motion.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE
MR. KANE	AYE



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

December 1, 2005

Dane LeRoy  
2 Spring Rock Road  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-64

Dear Mr. LeRoy:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Times Herald Record Newspaper for publication. **PLEASE NOTE: The charge for publication in the Times Herald Record will be deducted from your escrow that was posted with your application papers.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

2 Spring Rock Road  
New Windsor, NY

is scheduled for the DECEMBER 12, 2005 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



RESULTS OF Z.B.A. MEETING OF: October 24, 2005

PROJECT: Daxe Leroy ZBA # 05-64  
P.B.#

**P.B.#** \_\_\_\_\_

**USE VARIANCE:**      **NEED: EAF** \_\_\_\_\_ **PROXY** \_\_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: M)\_\_\_\_\_ S)\_\_\_\_\_ VOTE: A\_\_\_\_ N\_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

**NEGATIVE DEC:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

**APPROVED: M)\_\_\_\_\_S)\_\_\_\_\_ VOTE: A\_\_\_\_\_N\_\_\_\_\_**

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y\_\_\_\_\_N\_\_\_\_\_  
RETS \_\_\_\_\_  
KANE \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M) Rs S) G VOTE: A 5 N 0

GANN	A
LOCEY	A
BROWN	A
<del>MCDONALD</del>	
REIS	A
KANE	A

CARRIED: Y ☒ N

**PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES**

**VARIANCE APPROVED:** M)\_\_\_ S)\_\_\_ VOTE: A\_\_\_ N\_\_\_.

**GANN** \_\_\_\_\_  
**LOCEY** \_\_\_\_\_  
**BROWN** \_\_\_\_\_  
**MC DONALD** \_\_\_\_\_  
**REIS** \_\_\_\_\_  
**KANE** \_\_\_\_\_

**CARRIED: Y\_\_\_\_\_N\_\_\_\_\_.**

[illegible]



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

## Assessors Office

October 21, 2005

Dane LeRoy  
2 Spring Rock Road  
New Windsor, NY 12553

Re: 43-1-50

ZBA#: 05-64 (61)

Dear Mr. LeRoy:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$85.00, minus your deposit of \$25.00.

Please remit the balance of \$60.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

43-1-17  
Linda & Charles Baranski, Jr.  
10 Hudson Drive  
New Windsor, NY 12553

43-1-20  
Erol Ozkural  
16 Hudson Drive  
New Windsor, NY 12553

43-1-23  
Kenneth & Virginia Urban  
22 Hudson Drive  
New Windsor, NY 12553

43-1-26  
William & Lillian Rogers  
23 St. Anne Drive  
New Windsor, NY 12553

43-1-29  
Kim Meri DiGiovanni  
Philip Masciola, Jr.  
17 St. Anne Drive  
New Windsor, NY 12553

43-1-32  
John & Caryn Mele  
11 St. Anne Drive  
New Windsor, NY 12553

43-1-44  
James Ely  
8 Hearthstone Way  
New Windsor, NY 12553

43-1-47  
Robert & Lynn Vance  
14 Hearthstone Way  
New Windsor, NY 12553

43-1-53  
Patricia Moran  
4 Spring Rock Road  
New Windsor, NY 12553

43-1-56  
Mercedes Ponesse  
c/o Louis & Louise Pisano, Sr.  
16 Ona Lane  
New Windsor, NY 12553

43-1-18  
Alice Rae Kurman  
12 Hudson Drive  
New Windsor, NY 12553

43-1-21  
Ellen Baylis  
18 Hudson Drive  
New Windsor, NY 12553

43-1-24  
Marie & Floyd Skakel, Jr.  
27 St. Anne Drive  
New Windsor, NY 12553

43-1-27  
Kevin & Jennifer Jones  
21 St. Anne Drive  
New Windsor, NY 12553

43-1-30  
Joyce Wotton  
15 St. Anne Drive  
New Windsor, NY 12553

43-1-33  
Patricia Camacho  
9 St. Anne Drive  
New Windsor, NY 12553

43-1-45  
Anita & Frank Schwartz  
c/o Malvin Schwartz  
22 Furnace Brook Drive  
Cortlandt Manor, NY 10567

43-1-48  
Jack Browne  
P.O. Box 4310  
New Windsor, NY 12553

43-1-54  
Thomas & Kim Schlett  
6 Spring Rock Road  
New Windsor, NY 12553

43-1-57  
Margaret Tobin  
12 Spring Rock Road  
New Windsor, NY 12553

43-1-19  
David & Debra Albrecht  
14 Hudson Drive  
New Windsor, NY 12553

43-1-22  
Elton & Estelle Stanford  
20 Hudson Drive  
New Windsor, NY 12553

43-1-25  
Andres Reyes  
25 St. Anne Drive  
New Windsor, NY 12553

43-1-28  
Michael & Jenny Hughes  
19 St. Anne Drive  
New Windsor, NY 12553

43-1-31  
Russell & Nancy Young  
13 St. Anne Drive  
New Windsor, NY 12553

43-1-43  
Robert & Andrea Murphy  
6 Hearthstone Way  
New Windsor, NY 12553

43-1-46  
Alecks & Emelie Elia  
12 Hearthstone Way  
New Windsor, NY 12553

43-1-49  
Jean Grunewald  
Andrea Holland  
18 Hearthstone Way  
New Windsor, NY 12553

43-1-55  
Dino Fratto  
8 Spring Rock Road  
New Windsor, NY 12553

43-1-58  
Lois Lyon  
2 Chimney Corner Road  
New Windsor, NY 12553

43-1-59

Paul & Cheryl Ciaccio  
4 Chimney Corner Road  
New Windsor, NY 12553

43-1-60

Cynthia, Karen, Jennifer & Erika Butler  
6 Chimney Corner Road  
New Windsor, NY 12553

44-1-1

Jason & Amy Manifold  
24 Hudson Drive  
New Windsor, NY 12553

44-1-2

William & Gaetana Feigel  
26 Hudson Drive  
New Windsor, NY 12553

44-1-49

Ann Marie Thompson  
8 St. Anne Drive  
New Windsor, NY 12553

44-1-50

Michael & Benevenuta Grogan  
10 St. Anne Drive  
New Windsor, NY 12553

4-1-51

Andres, Carlotta & Sixto Reyes  
2 Judd Circle  
New Windsor, NY 12553

44-1-60

Edward & Anne Marie Homuth  
3 Judd Circle  
New Windsor, NY 12553

44-1-61

Stephanie & Lincoln Heft, Jr.  
1 Judd Circle  
New Windsor, NY 12553

44-1-62

Theresa Brennan  
12 St. Anne Drive  
New Windsor, NY 12553

44-1-63

John & Elizabeth Komonchak  
14 St. Anne Drive  
New Windsor, NY 12553

44-1-64

Richard & Patricia Hovey  
16 St. Anne Drive  
New Windsor, NY 12553

44-1-65

Richard Terwilliger  
18 St. Anne Drive  
New Windsor, NY 12553

44-1-66

Michael & Dorothy Engenito  
20 St. Anne Drive  
New Windsor, NY 12553

44-1-67

Charles Wilson  
22 St. Anne Drive  
New Windsor, NY 12553

46-2-20

Thomas & Barbara Behany  
11 Spring Rock Road  
New Windsor, NY 12553

46-2-21

Carl Schiller  
Yingyi Chu  
6 Horse Shoe Bend  
New Windsor, NY 12553

46-2-22

Sidney & Edna Weinheim  
8 Horse Shoe Bend  
New Windsor, NY 12553

46-2-30

Thomas & Peggy Scalli  
7 Horse Shoe Bend  
New Windsor, NY 12553

46-2-31

John & Barbara Baldwin  
5 Horse Shoe Bend  
New Windsor, NY 12553

46-2-32

Stephen & Eileen Power  
3 Horse Shoe Bend  
New Windsor, NY 12553

46-2-33

Michael Cestone  
Maureen Bryant  
1 Horse Shoe Bend  
New Windsor, NY 12553

46-2-34

Gerald & Ann O'Donnell  
7 Spring Rock Road  
New Windsor, NY 12553

46-2-35

Jose & Berta Castaneda  
17 Hearthstone Way  
New Windsor, NY 12553

46-2-36

Theodore & Peggy Jo Marsden  
15 Hearthstone Way  
New Windsor, NY 12553

46-2-37

Paul & Barbara Rodriguez  
P.O. Box 4621  
New Windsor, NY 12553

46-2-38

Vencent Cerchiara  
Patti Elings Cerchiara  
11 Hearthstone Way  
New Windsor, NY 12553

46-2-39

Byron & Cynthia Combest  
9 Hearthstone Way  
New Windsor, NY 12553

46-2-40

Francis & Mariann Lippolis  
2 Hobnail Court  
New Windsor, NY 12553

46-2-41

Antonio Roncal  
Flor Demaria Roncal  
4 Hobnail Court  
New Windsor, NY 12553

46-2-49  
New Windsor Group, LLC  
P.O. Box 415  
Tallman, NY 10982

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 10-18-05

FOR: ESCROW 05-64

FROM:

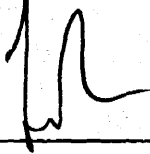
**Dane LeRoy**  
**2 Spring Rock Road**  
**New Windsor, NY 12553**

CHECK NUMBER: 4864

TELEPHONE: 562-0604

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME

10/19/05  
\_\_\_\_\_  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



**Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611**

**RECEIPT  
#996-2005**

10/19/2005

Le Roy, Dane

Received \$ 50.00 for Zoning Board Fees, on 10/19/2005. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

ZBA # 05-64 application fee





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

October 18, 2005

Dane LeRoy  
2 Spring Rock Road  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-64

Dear Mr. LeRoy:

This letter is to inform you that you have been placed on the October 24, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

2 Spring Rock Road  
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

9/19/05  
Date

Application Type: Use Variance ☐ Area Variance ☒  
Sign Variance ☐ Interpretation ☐

**I. Owner Information:**

Name: Dane W. LeRoy Phone Number: (845) 562-0604  
(Name) Fax Number: ( )  
Address: 2 Spring Rock Road New Windsor  
(Address)

**II. Applicant:**

Name: Dane W. LeRoy Phone Number: (845) 562-0604  
(Name) Fax Number: ( )  
Address: 2 Spring Rock Road New Windsor  
(Address)

**III. Forwarding Address, if any, for return of escrow: Phone Number: ( )**

Fax Number: ( )  
(Name)  
(Address)

**IV. Contractor/Engineer/Architect/Surveyor/:**

Phone Number ( )  
Fax Number: ( )  
(Name)  
(Address)

**V. Property Information:**

Zone: R-4 Property Address in Question: 2 Spring Rock Road  
Lot Size: .23 Tax Map Number: Section 43 Block 1 Lot 50  
a. What other zones lie within 500 feet? \_\_\_\_\_  
b. Is pending sale or lease subject to ZBA approval of this Application? No  
c. When was property purchased by present owner? 1985  
d. Has property been subdivided previously? No If so, When: No  
e. Has an Order to Remedy Violation been issued against the property by the  
Building/Zoning/Fire Inspector? No  
f. Is there any outside storage at the property now or is any proposed? Yes

**\*\*\*\*PLEASE NOTE:\*\*\*\*\***

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF  
SUBMITTAL.**

**COMPLETE THIS PAGE ☐**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	10'	ON Line	10'
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☐**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

*This 10'x12' shed is located on the only spot I could find because of the space taken up by the stream. My Property is cut off in the back by Mud Pond creek. The location of the shed helps to give my one neighbor more privacy at our pools.*

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

The shed is located on a  
raised gravel area.

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☒ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☒ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☒ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☒ Photographs of existing premises (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

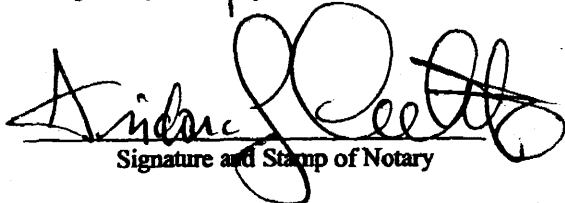
) SS.:

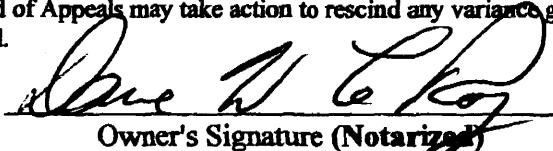
COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

20 day of September 2005.

  
Signature and Stamp of Notary

  
Owner's Signature (Notarized)

Dane W. LeRoy  
Owner's Name (Please Print)

\_\_\_\_\_  
Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

ISIDORE J. CUBITO  
Notary Public, State of New York  
Qualified in Ulster County  
Registration # 01CU8004724  
Commission Expires March 30, 2006

COMPLETE THIS PAGE ☐



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

### **RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

### **MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

### **COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

### **INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST MEETING.

★

### **ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

★★

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME



## **PUBLIC HEARING LIST OF PROPERTY OWNERS**

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
3. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. **BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING.** YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

### **NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

### **NOTE:**

**THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.**